

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application for the renewal of an  
On-licence pursuant to s. 127 in respect  
of premises situated at 37 Main Road,  
Harihari and known as Pukeko Store &  
Cafe by Fashion Street Limited.

**DECISION OF THE WESTLAND DISTRICT LICENSING COMMITTEE ON AN UNCONTESTED  
APPLICATION**

**Authority:**

Pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 and a Council resolution dated 28 November 2013, the functions, powers and duties of the Westland District Licensing Committee are delegated to the committee chairperson where no objection has been filed, and no matters of opposition have been raised by the Police, the Medical Officer of Health or an Inspector. There is no Local Alcohol Policy in place for the District.

**Summary of Evidence**

The complete file has been made available to me.

The renewal application is made with clarity and conviction.

A report from the Inspector advises that the applicant is suitable to continue to hold a licence.

The Police advise that there is no objection to the renewal application.

The Medical Officer of Health has no opposition to the renewal application.

**Evaluation of Evidence**

I have considered the application on the basis of the uncontested reports received. The matter is able to be dealt with on the papers.

This is a renewal of a licence which expired on 1 July 2020.

I am satisfied as to those matters provided for in s.131 of the Act.

No changes to the existing terms and conditions are proposed and the opening days and hours will remain as Monday to Sunday from 10.00am to 10.00pm.

The applicant is a private company and the two Directors are Stephen Maurice Schmetz and Heather Anne Schmetz, who are both actively involved in the business.

The inside customer area shall be undesignated and the outside licenses area (as defined on the site plan which accompanied the application) shall be undesignated.

**Decision**

The application is granted on the papers pursuant to s.202(1) of the Act as Decision Number **143-2020** and I direct that renewed on-licence 56/ON/076/2017 be issued pursuant to s.64 of the Act.

The renewal is for a period of three years from the date of expiry and is subject to the following conditions:

- (a) Alcohol may be sold only on the following days and during the following hours:

Monday to Sunday from 10.00am until 10.00pm the same day.

Except when the licensee also holds a special licence for the premises, no alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not—


- (i) residing or lodging on the premises; or
  - (ii) present on the premises to dine.
- (b) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers at all times that the licence is being exercised.
- (c) The principal entrance is to be described as “The entrance facing State Highway 6, Harihari”.
- (d) The extent of the premises is that area shown on a plan submitted with the application for renewal dated 10 September 2020.
- (e) The inside customer area shall be undesignated and the outside licenses area (as defined on the site plan which accompanied the application) shall be undesignated.

Duration

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force—

- (a) either—
- (i) until the close of the period for which it was last renewed; or
  - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—
- (i) until the close of the period of 3 years after the period for which it was last renewed; or
  - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Dated at Hokitika this 9<sup>th</sup> November 2020.

  
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**Cr David Carruthers**  
**Deputy Chairperson, Westland District Licensing Committee**

